

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Claims 1 and 7-10 are currently pending in this application, of which claims 1, 7, and 10 are independent. In the Office Action dated January 30, 2006, claims 1 and 7-9 were rejected under 35 U.S.C. § 103(a) and claims 1 and 7-10 were rejected under 35 U.S.C. § 112, second paragraph. The Examiner indicated that claim 10 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112, second paragraph.

In response to the Office Action, Applicants have amended claims 1, 7, and 10 to more particularly define the invention. No new subject has been added. Support for the amendments may be found, for example, at page 9, lines 19-25 and at page 13, lines 9-12. Applicants hereby address the Examiner's rejections in turn.

Rejections under 35 U.S.C. § 112, second paragraph

Claims 1 and 7-10 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Specifically, the Examiner contended that the phrase "a protrusion on part of an outer peripheral face thereof except a side face in the length direction of the fastener tape" in independent claims 1, 7, and 10 is indefinite. Applicants submit that independent claims 1, 7, and 10 have been amended to recite "the protrusion protruding from part of an outer peripheral face thereof except front and back faces disposed in the length direction of the fastener tape." In this way, amended claims 1, 7, and 10

specifies in definite terms that the protrusion integrally molded with the stopper portion protrudes from a part of the stopper portion's outer peripheral face except the front and back faces relative to the length direction of the fastener tape, for example, as shown directly facing the readers in Figs. 2-4.

In view of the above amendments, Applicants submit that amended independent claims 1, 7, and 10 and dependent claims 8 and 9, which depend from amended claim 7, overcome the rejections under 35 U.S.C. § 112, second paragraph.

Rejections under 35 U.S.C. § 103(a)

Claims 1 and 7-9 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,752,992 ("*Kondo*") in view of U.S. Patent No. 2,112,725 ("*Carlile*"). In rejecting claim 1, the Examiner conceded that "*Kondo* fails to disclose a protrusion on part of an outer peripheral face." Office Action, page 2. Instead, the Examiner relied on *Carlile* to cure *Kondo*'s deficiency. In particular, the Examiner pointed to small rubber pieces 19 and 20 of *Carlile* as disclosing the protrusion of Applicants' claim 1. Applicants respectfully traverse the Examiner's contentions in view of the amendments to claim 1.

Specifically, Applicants submit that amended claim 1 recites "wherein the stopper portion is integrally molded with a protrusion by molding the protrusion protruding from part of an outer peripheral face thereof except front and back faces disposed in the length direction of the fastener tape." Therefore, amended claim 1 requires that the protrusion be an integrally molded part of the stopper portion's outer peripheral face. Contrarily, *Carlile*, as pointed out by the Examiner, merely discloses small rubber pieces

19 and 20, which are separate from, but secured to stop members “comprise generally a sheet metal ferrule 13 bent to U-Shape around the beaded edge of the stringer.” Column 2, lines 14-16 and lines 35-39. Thus, *Carlile* fails to show or suggest that “the stopper portion is integrally molded with a protrusion by molding the protrusion protruding from part of an outer peripheral face” as recited in amended claim 1.

Moreover, *Carlile* states that “when the slider is moved to its topmost or fully closed position, some effort will be required to force the slider completely over the top stop due to the fact that the rubber blocks 19 and 20 must be compressed.” Column 2, lines 50-54. Repeated forced closures in the above fashion create possibilities for the separately attached rubber pieces 19 and 20 to become dislocated from the stopper. Such possibilities are eliminated in Applicants’ invention of amended claim 1 through the integral molding of the protrusion with the stopper portion. Additionally, *Carlile*’s stopper requires a number of separate components and therefore a number of separate processes for manufacturing these components, while Applicants’ amended claim 1 creates the stopper portion and the protrusion with one integrated molding process.

In view of the above, Applicants submit that at least because amended claim 1 is patentably distinguishable from *Carlile* and because *Kondo* and *Carlile*, either alone or in combination, fail to show or suggest each and every feature of amended claim 1, amended claim 1 is patentable over the combination of *Kondo* and *Carlile* under 35 U.S.C. § 103(a). Amended claim 7 includes similar recitations as those discussed above in connection with amended claim 1 and is, therefore, also patentable over the combination of *Kondo* and *Carlile* under 35 U.S.C. § 103(a) for at least those reasons

stated above. Claims 8 and 9 depend from claim 7 and are, therefore, additionally patentable at least because of their dependency on a patentable base claim.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account 06-0916.

Respectfully submitted,

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By: _____



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